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SUBJECT: AUSTRIAN GOVERNMENT BANS ON GT73 OILSEED RAPE

REF: VIENNA 247

¶1. (U) Following up on its initial announcement in January (reftel), the Austrian Ministry of Health (MoH) issued a government ordinance April 13 to implement a marketing ban on Monsanto's GT73 oilseed rape. The ordinance expires December 31, 2008, at which time, the MoH intends to re-assess the scientific database, according to its website. Although the EU Commission (EC) approved GT73 in August 2005, the MoH declared that it would provide well-supported reasons for issuing the ordinance.

¶2. (U) Health Minister Maria Rauch-Kallat cited recent studies from the University of Vienna's Institute for Environmental Protection and Vegetation Ecology as justification for the ban. The studies concluded that unintentional mingling of biotech rape with conventional seeds along transportation routes (rails, roads, loading platforms) is possible. The MoH website ([www.bmgf.gv.at](http://www.bmgf.gv.at)) contains the institute's most recent study from January, available in English. The Austrian Federal Environmental Agency produced a separate report highlighting "inadequate testing of the product with regard to toxicity and allergies." The scientific committee of the Austrian Biotechnology Commission also recommended a ban until 2008.

Comment

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¶3. (SBU) The MoH ordinance, which does not appear to be compliant with Community regulations, is consistent with the GoA's anti-biotech position. Recently, Agriculture Minister Josef Proell has repeatedly criticized the European Food Safety Authority, proposing a greater role for Member State input in the GMO approval process. In an April 13 newspaper interview, Proell maintained that the GoA would not alter its existing bans on biotech seeds, despite the threat of EC action.

Kilner